

**DECISION MEMO**  
**Grand Mesa, Uncompahgre and Gunnison National Forests**  
**Ouray Ranger District**  
**Ouray County, Colorado**

**Date:** 3/23/2018

**Authorized Officer:** Scott Armentrout

**Name of Project or Authorization:** Clarkson spring and pipeline permit issuance

**Location of Project** (see map): **Section 1, T.42N., R.8W., N.M.P.M.**

**Description of Project or Authorization:** The Ouray Ranger District of the Grand Mesa, Uncompahgre, and Gunnison National Forests received an application from Steven Clarkson for the issuance of a spring and pipeline special use permit. Prior to developing the spring, Mr. Clarkson notified the District in 2006, and the GMUG Forest hydrologist and District lands staff visited the proposed location. At that time, the site was deemed to be on private, not Forest Service land. Subsequent boundary survey work resulted in a finding by Mr. Clarkson that the spring which he had since developed, was indeed on NFS land, and he notified the District of this finding in 2013.

The spring development consists of a collection trench approximately 4 ft. deep by 30 ft. long parallel to the slope. A four inch perforated pipe rests in the bottom of the trench, covered by washed rock and then covered by soil. A vertical, 4 inch PVC vent raise is visible at the surface. From the north end of the trench, a 2 inch buried, "Pure-Core" pipe extends to private land, approximately 120 ft. distance. There is no access road or trail to the spring or pipeline. There is no fencing around the spring development. The state issued a conditional water right of 0.011 cfs of water for domestic use in one single-family dwelling for Clarkson Springs 1 and 2 which this trench intercepts. In order to be Decreed an Absolute Right by the state, a FS authorization is required.

The Forest Service proposes to issue a permit for a term of 20 years under authorities of the Organic Act of 1897 and the Federal Land Policy and Management Act, As Amended October 21, 1976.

This activity is categorically excluded under 36 CFR 220.6(e) (3) *Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land.*

**Evaluation of Extraordinary Circumstances**

The following table documents environmental compliance for projects categorically excluded under NEPA.

Evaluation of Extraordinary Circumstances for the Proposal (36 CFR 220.6(a))			
Resource Conditions (36 CFR 220.6(b)(1))	Resource Condition Present? <sup>1</sup>		References Required for CE categories under 36 CFR 220.6(e).
	Yes	No	
Federally listed threatened or endangered terrestrial wildlife species or their designated critical habitat, species proposed for Federal listing or proposed critical habitat or FS sensitive species. 36 CFR 220.6(b)(1)(i)		x	No measurable or significant effects  Wildlife Biologist report, 5/31/16 see project file.

Evaluation of Extraordinary Circumstances for the Proposal (36 CFR 220.6(a))				
Resource Conditions (36 CFR 220.6(b)(1))	Resource Condition Present? <sup>1</sup>		Evaluation <sup>1</sup> (36 CFR 220.6(b)(2))	References Required for CE categories under 36 CFR 220.6(e).
	Yes	No		
Federally listed threatened or endangered aquatic species or their designated critical habitat, species proposed for Federal listing or proposed critical habitat or FS sensitive species. 36 CFR 220.6(b)(1)(i)		x	No measurable or significant effects	Wildlife Biologist report, see project file.
Federally listed threatened or endangered plant species or their designated critical habitat, species proposed for Federal listing or proposed critical habitat or FS sensitive species. 36 CFR 220.6(b)(1)(i)		x	No measurable or significant effects	Wildlife Biologist report, see project file.
Floodplains, wetlands or municipal watersheds. 36 CFR 220.6(b)(1)(ii)		x	No floodplains, wetlands or municipal watersheds will be affected by this action	Forest Visitor Map; Field Review
Congressionally designated areas <sup>2</sup> such as wilderness, wilderness study areas, or national recreation areas. 36 CFR 220.6(b)(1)(iii)		x	No Congressionally designated areas will be affected directly or indirectly by this action.	Forest Visitor Map
Colorado Roadless Areas <sup>3</sup> or potential wilderness areas. 36 CFR 220.6(b)(1)(iv), 36 CFR Part 294		x	CRAs/IRAs will not be affected directly or indirectly by this action.	Roadless map in project file.
Research natural areas <sup>2</sup> . 36 CFR 220.6(b)(1)(v)		x	RNAs will not be affected by this action.	GMUG Forest Plan as Amended 1991, Pg. II-27
American Indians and Alaska Native religious or cultural sites. 36 CFR 220.6(b)(1)(vi)		x		The District Ranger has determined that tribal consultation is not necessary for this project.
Archaeological sites, or historic properties or areas. 36 CFR 220.6(b)(1)(vii)		x	Negative results, a response from SHPO is not required or expected. Project may proceed.	Archeologist report 2/1/18
<sup>1</sup> The mere presence of one or more of these resource conditions does not preclude the use of a categorical exclusion. It is the existence of a cause effect relationship between a proposed action and the potential effect on these resource conditions, and if such a relationship exists, the degree of the potential effect of a proposed action these resource conditions that determines whether extraordinary circumstances exist. <sup>2</sup> If present, verify authorities. Additional requirements may exist. <sup>3</sup> Roadless consultation with RO is required except for limited circumstances. Submit completed forms to NEPA coordinator.				

### Scoping Efforts

The district Wildlife Biologist and Archeologist reviewed the proposed action. A site visit with the permit holder, GMUG Forest Hydrologist, and Ouray District Lands Staff was conducted in 2006, when the spring development was first proposed. The District Archeologist inspected the site in 2015. The project has been posted on the GMUG Schedule of Proposed Actions since January, 2015. No comments were received from the public.

**Findings Required by Other Laws**

The project is located within Forest Plan Management Area 2B (Roaded natural and rural recreation opportunities. See GMUG Forest Plan As Amended, 1991, pg III-105). The spring development is compatible with the General Direction and Standards and Guidelines for the management area, and with General Direction for Non-recreation Special Uses (ref: Forest Plan pg III-71)

**Implementation**

This decision may be implemented immediately.

**Opportunities for Administrative Review or Appeal**

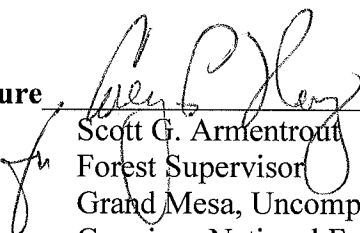
This decision is not subject to administrative review.

**For Additional Information Contact:** Lands and Minerals Staff, Ouray Ranger District, (970) 240-5405.

**Decision and Finding**

I am approving the issuance of a Special Use Permit with a term of 20 years. I have considered the above listed resource conditions and have determined there are no extraordinary circumstances related to the proposed action that warrant further analysis or documentation in either an environmental assessment or environmental impact statement. None of the extraordinary circumstances described in 36 CFR 220.6 (b) exist.

Signature

  
\_\_\_\_\_  
Scott G. Armentrout  
Forest Supervisor  
Grand Mesa, Uncompahgre and  
Gunnison National Forests

Date

  
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3/20/2018

# APPENDIX A. OUR 656 Clarkson, Steven spring development



L. Mauch 4/15/2015